

Senate Bill 72

By: Senators Thompson of the 33rd, Stoner of the 6th, Powell of the 23rd and Thompson of the 5th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 20-2-182, relating to program weights relative to state funding of local school systems, so as to provide for compliance with maximum class size requirements for each individual classroom; to prohibit determining compliance with maximum class size requirements by system average; to revise or delete obsolete provisions; to restore provisions enacted in 2000 and suspended during school years 2003-2004 and 2004-2005; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 20-2-182, relating to program weights relative to state funding of local school systems, is amended by striking subsections (i) and (k) and inserting in lieu thereof the following:

"(i) The State Board of Education shall adopt for each instructional program authorized pursuant to Part 3 of this article and the middle school program provided for in Code Section 20-2-290 the maximum number of students which may be taught by a teacher in an instructional period. Such maximum class sizes shall be equal to or greater than the teacher-student ratios used in the calculation of the program weights as set forth in subsection (b) of Code Section 20-2-161 but shall not exceed the funding class size by more than 20 percent, unless specifically authorized by the State Board of Education; provided, however, that in no case shall the 20 percent maximum be exceeded for mathematics, science, social studies, or English classes; provided, further, that the maximum class size for kindergarten and grades one through three shall not exceed 20 percent over the funding ratio except for art, music, or physical education classes; provided, further, that the maximum class size for special education, gifted, and English for speakers of other languages classes shall be set by the State Board of Education. For a period ~~not to exceed four years~~, beginning with the 2000-2001 school year, local school systems shall be allowed to exceed the maximum class sizes set forth in this subsection in a manner

1 consistent with State Board of Education rules. The State Board of Education shall lower
2 the current maximum class sizes set by state board rules in effect for the 1999-2000 school
3 year, beginning with the 2000-2001 school year, ~~by a proportional amount each school year~~
4 so that, beginning with the ~~2003-2004~~ 2005-2006 school year, State Board of Education
5 rules are in compliance with this subsection ~~except as otherwise provided in subsection (k)~~
6 ~~of this Code section for the 2003-2004 and 2004-2005 school years only.~~ An aide may be
7 used in programs to increase class size as allowed by State Board of Education rule, except
8 that an aide shall not be used to increase the maximum class size in kindergarten or grades
9 one through three, ~~except as otherwise provided in subsection (k) of this Code section for~~
10 ~~the 2003-2004 and 2004-2005 school years only.~~ The maximum class size for the
11 kindergarten and primary grades programs is defined as the number of students in a
12 physical classroom. Compliance with maximum class size requirements shall not be
13 determined by the system average. Maximum class sizes that result in a fractional full-time
14 equivalent shall be rounded up to the nearest whole number as needed. The middle school
15 program shall use the teacher-student ratio of the middle grades program for the purpose
16 of this subsection. The number of students taught by a teacher at any time after the first 15
17 school days of a school year may not exceed the maximum such number unless
18 authorization for a specific larger number is requested of the state board, along with the
19 educational justification for granting the requested exemption, and the state board has
20 approved said request. The state board shall not reduce class sizes without the authorization
21 of the General Assembly if this reduction necessitates added costs for facilities, personnel,
22 and other program needs. Local boards of education may reduce class sizes, build
23 additional facilities, and provide other resources at local cost if such actions are in the best
24 interest of the local school systems' programs as determined by the local boards of
25 education."

26 ~~"(k) For the 2003-2004 and 2004-2005 school years, the maximum class sizes set by the~~
27 ~~State Board of Education for the 2002-2003 school year shall apply for grades four through~~
28 ~~12. For the 2003-2004 and 2004-2005 school years, the maximum class sizes set by the~~
29 ~~State Board of Education for the 2003-2004 school year shall apply to kindergarten and~~
30 ~~grades one through three, except that a kindergarten class may be increased to 20 students~~
31 ~~if a paraprofessional is present in addition to the certificated teacher. For the 2003-2004~~
32 ~~and 2004-2005 school years, compliance with maximum class size requirements shall be~~
33 ~~determined by the system average for kindergarten and for each grade and no class shall~~
34 ~~exceed the applicable maximum size by more than two students. Except as otherwise~~
35 ~~provided in this subsection, other provisions of this Code section shall apply. This~~
36 ~~subsection shall not be construed to repeal any other provision of this Code section or this~~

1 ~~chapter, or to apply to any period of time other than the two fiscal years beginning July 1,~~
2 ~~2003, and ending June 30, 2005. This subsection shall be automatically repealed July 1,~~
3 ~~2005."~~

4 **SECTION 2.**

5 This Act shall become effective on July1, 2005.

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.